

FILED
MAY 14 2010

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

JOHN F. CORCORAN, CLERK
BY: *[Signature]*
DEPUTY CLERK

JASON S. LANDES,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

Civil Action No. 5:09CV00034

FINAL ORDER

By: Samuel G. Wilson
United States District Judge

This case was referred pursuant to 28 U.S.C. § 636(b)(1)(B) to the Honorable James G. Welsh, United States Magistrate Judge. The Magistrate Judge has filed a report recommending that an order be entered reversing the decision of the Commissioner, granting summary judgment to the plaintiff, remanding the case to the Commissioner solely for the purpose of calculating and paying benefits consistent with the report and recommendation. Objections to the report and recommendation have not been filed, and the court, upon review of pertinent portions of the record, is of the opinion that the report should be adopted. It is accordingly, **ORDERED** and **ADJUDGED** that the final decision of the Commissioner is **REVERSED**, summary judgment is **GRANTED** to the plaintiff, the case is **REMANDED** to the Commissioner for the purpose of calculating and paying benefits consistent with the report and recommendation, and this case is **ORDERED** stricken from the docket of the court.

ENTER: This May 13th, 2010.

[Signature]
UNITED STATES DISTRICT JUDGE